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17 Attorneys for Defendants
18 Herbalife Ltd., Michael O. Johnson,
19 Desmond Walsh, and John DeSimone

20 UNITED STATES DISTRICT COURT
21
22 CENTRAL DISTRICT OF CALIFORNIA
23
24 WESTERN DIVISION

25
26 IN RE HERBALIFE, LTD.
27 SECURITIES LITIGATION

28 CASE NO. 2:14-cv-02850-DSF (JCGx)

1 JOINT STIPULATION TO
2 CONTINUE HEARING ON
3 DEFENDANTS' MOTION TO
4 DISMISS PLAINTIFFS' AMENDED
5 COMPLAINT

6 **Hearing:**

7 Current Date: February 9, 2015
8 Time: 1:30 p.m.
9 Place: Courtroom 840
10 255 East Temple St.
11 Los Angeles, CA 90012
12 Judge: Hon. Dale S. Fischer

1 The undersigned counsel for the Parties hereby submit for the Court's approval
2 the following Stipulation:

3 WHEREAS, on November 4, 2014, Defendants moved to dismiss Plaintiffs'
4 Amended Complaint;

5 WHEREAS, on December 18, 2014, Plaintiffs submitted their opposition to
6 Defendants' Motion to Dismiss;

7 WHEREAS, on January 23, 2015, Defendants submitted their reply brief in
8 further support of their Motion to Dismiss;

9 WHEREAS, Defendants' Motion to Dismiss the Complaint is currently noticed
10 for hearing on February 9, 2015;

11 WHEREAS, Defendants' counsel who will argue the Motion to Dismiss,
12 Jonathan C. Dickey, is currently experiencing a temporary medical issue and, on his
13 Doctor's advice, should not travel for the next several weeks.

14 WHEREAS, due to Defendants' counsel's medical issue, the Parties have agreed
15 that, subject to court approval, the February 9, 2015 hearing on Defendants' Motion to
16 Dismiss should be rescheduled to Monday, March 9, 2015 at 1:30 p.m., by which time,
17 based on his Doctor's orders, Defendants' counsel expects to be physically able to
18 travel to Los Angeles from Northern California, and attend and argue the Motion.

19 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED,
20 SUBJECT TO APPROVAL OF THE COURT, AS FOLLOWS:

21 1) The hearing on Defendants' Motion to Dismiss the Complaint currently
22 noticed for February 9, 2015 at 1:30 p.m. is hereby continued to March 9, 2015 at 1:30
23 p.m.

24 2) This Stipulation and [Proposed] Order is without prejudice to any Party's
25 right to seek a further continuance of the hearing date for good cause shown.

1 DATED: January 29, 2015

Respectfully Submitted,

2 JONATHAN C. DICKEY
3 GIBSON, DUNN & CRUTCHER LLP

4 By: */s/ Jonathan C. Dickey*
5 Jonathan C. Dickey

6 Attorneys for Defendants

7 DATED: January 29, 2015

8 LESTER HOOKER
9 SAXENA WHITE PA

10 By: */s/ Lester Hooker*
11 Lester Hooker

12 Attorneys for Plaintiffs

13 DATED: January 29, 2015

14 JON A. TOSTRUD
15 TOSTRUD LAW GROUP PC

16 By: */s/ Jon A. Tostrud*
17 Jon A. Tostrud

18 Attorneys for Plaintiffs

PROOF OF SERVICE

I, the undersigned, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 333 South Grand Avenue, Los Angeles, California 90071. On January 29, 2015, I caused the foregoing document and its attachment—namely, the JOINT STIPULATION TO CONTINUE HEARING ON DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT and the [PROPOSED] ORDER GRANTING THE JOINT STIPULATION—to be served as follows:

by electronically filing the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such electronic filing to counsel of record for all parties by operation of the Court's CM/ECF System.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the above is true and correct.

Executed on January 29, 2015, at Los Angeles, California.

/s/ Alexander K. Mircheff
Alexander K. Mircheff